

114TH CONGRESS
1ST SESSION

S. 2103

To modify a provision relating to adjustments of certain State apportionments for Federal highway programs, and for other purposes.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 30, 2015

Mr. DONNELLY (for himself and Mr. FLAKE) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

A BILL

To modify a provision relating to adjustments of certain State apportionments for Federal highway programs, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. ADJUSTMENTS TO CERTAIN STATE APPOR-**
4 **TIONMENT AMOUNTS.**

5 Section 104(c) of title 23, United States Code, is
6 amended by adding at the end the following:

7 “(3) FOR FISCAL YEAR 2016 AND FISCAL YEARS
8 THEREAFTER.—

1 “(A) STATE SHARE.—For fiscal year 2016
2 and each fiscal year thereafter, the amount for
3 each State of combined apportionments for the
4 national highway performance program under
5 section 119, the surface transportation program
6 under section 133, the highway safety improve-
7 ment program under section 148, the conges-
8 tion mitigation and air quality improvement
9 program under section 149, and to carry out
10 section 134 shall be determined as follows:

11 “(i) INITIAL AMOUNT.—The initial
12 amount for each State shall be determined
13 by multiplying the total amount available
14 for apportionment by the share for each
15 State, which shall be equal to the propor-
16 tion that—

17 “(I) the amount of apportion-
18 ments that the State received for fis-
19 cal year 2012; bears to

20 “(II) the amount of those appor-
21 tionments received by all States for
22 that fiscal year.

23 “(ii) ADJUSTMENTS TO AMOUNTS.—

24 “(I) IN GENERAL.—The initial
25 amounts resulting from the calcula-

1 tion under clause (i) shall be adjusted
2 to ensure that, for each State, the
3 amount of combined apportionments
4 for the programs shall not be less
5 than an amount equal to—

6 “(aa) 95 percent of the ap-
7 plicable percentage; multiplied by

8 “(bb) the total amount of
9 funds available for apporportion-
10 ment.

11 “(II) APPLICABLE PERCENT-
12 AGE.—For purposes of this clause, the
13 applicable percentage shall be an
14 amount, expressed as a percentage,
15 equal to the quotient of—

16 “(aa) the estimated tax pay-
17 ments attributable to highway
18 users in the State that were paid
19 into the Highway Trust Fund
20 (other than the Mass Transit Ac-
21 count) for the most recent fiscal
22 year for which data are available;
23 divided by

24 “(bb) the estimated total tax
25 payments attributable to users in

1 all States that were paid into the
2 Highway Trust Fund (other than
3 the Mass Transit Account) for
4 that fiscal year.

5 “(B) STATE APPORTIONMENT.—On Octo-
6 ber 1 of each fiscal year described in subpara-
7 graph (A), the Secretary shall apportion the
8 sum authorized to be appropriated for expendi-
9 ture on the national highway performance pro-
10 gram under section 119, the surface transpor-
11 tation program under section 133, the highway
12 safety improvement program under section 148,
13 the congestion mitigation and air quality im-
14 provement program under section 149, and to
15 carry out section 134 in accordance with sub-
16 paragraph (A).”.

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